



Committee of the Whole (1) Report

DATE: Tuesday, February 7, 2023

WARD: 4

TITLE: 7818 DUFFERIN INC.
OFFICIAL PLAN AMENDMENT FILE OP.21.004
ZONING BY-LAW AMENDMENT FILE Z.21.006
7818 DUFFERIN STREET
VINCINITY OF DUFFERIN STREET AND CENTRE STREET

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Official Plan and Zoning By-law Amendment Files OP.21.004 and Z.21.006, for the subject lands shown on Attachment 1, to permit a 27 and 22-storey apartment buildings, 311.19 m² of ground floor commercial area, and two blocks of townhouses containing 10 units, for a total of 863 residential units, and a 710.32 m² of Privately-Owned Public Open Space (POPS), and a 1401.09 m² public park/urban square as shown on Attachments 2 to 5.

Report Highlights

- The Owner proposes to amend Vaughan Official Plan 2010 and Zoning By-law 1-88 to permit a mixed-use development consisting of two residential apartment buildings with heights of 27 and 22-storeys on 7 to 10-storey podiums with 311.19 m² of ground floor commercial area, and two blocks of townhouses to containing 10 residential units, for a total of 863 residential units, 710.32 m² of Privately-Owned Public Open Space, and a 1401.09 m² public park/Urban Square.
- Official Plan Amendment and Zoning By-law Amendment applications are required to implement the proposed development.
- Future Site Development and Draft Plan of Condominium applications will be required.
- Official Plan and Zoning By-law Amendment Files OP.21.004 and Z.21.006 have been appealed to the Ontario Land Tribunal ('OLT') (File OLT-22-004197 and OLT-22-004198). Council direction is requested for staff and Legal counsel to attend the Ontario Land Tribunal Hearing in support of the Recommendations in this report.

Recommendations

THAT the Ontario Land Tribunal ('OLT') be advised that Vaughan Council ENDORSES the following Recommendations:

1. THAT Official Plan Amendment File OP.21.004 (7818 Dufferin Inc.) BE APPROVED, to amend Vaughan Official Plan 2010 to redesignate the subject lands from "Community Commercial Mixed-Use" to "High-Rise Mixed-Use" and the implementing Official Plan Amendment shall:
 - a) permit a maximum building height of 22-storeys and 27-storeys for Buildings A and B respectively
 - b) permit a maximum building height of 3-storeys for the townhouse units
 - c) permit up to a maximum of 863 dwelling units
 - d) permit a maximum Floor Space Index ('FSI') of 5.2 times the area of the lot; and
 - e) include policies regarding the coordination of development with the landowners in the northwest quadrant of Dufferin Street and Centre Street and the signalized intersection at Dufferin Street and Beverley Glen Boulevard;
2. THAT Zoning By-law Amendment File Z.21.006 (7818 Dufferin Inc.) BE APPROVED, to amend Zoning By-law 1-88 to rezone the subject lands from "C7 Service Commercial Zone" to "RM2(H) Multiple Residential Zone with a Holding

Symbol “(H)” and “OS2 Open Space Park Zone” in the manner shown on Attachment 2, together with the site-specific exceptions in Table 1 of this report;

3. THAT the implementing Zoning By-law shall:
 - a) Permit a maximum of 10 townhouse dwelling units
 - b) Permit a maximum of 389 units in Building A and a maximum of 464 units in Building B
 - c) Permit a maximum Floor Space Index of 5.2 times the area of the lot
 - d) Shall ensure that the building setbacks are consistent with the minimum clearance requirements as required by the hydro authority and applicable law
 - e) Include site-specific parking requirements as follows:
 - i) 0.8 spaces/unit for residential dwelling units
 - ii) 0.2 spaces/unit for residential visitor
 - iii) 2.0 spaces /100 m² of commercial GFA
 - iv) Minimum front yard 2.0 m at ground level and 1.0 m free of any projections at higher levels
 - v) Minimum exterior yard 3.0 m at ground level and 1.0 m free of any projections at higher levels
 - vi) Minimum Landscape Strip Width Along a Lot Line Which Abuts a Street Line 3.0 m (can be or hard or soft landscape)
 - vii) Minimum Landscape Strip width around a parking area 3.0 m (can be hard or soft landscape);

4. THAT the Holding Symbol “(H)” shall not be removed from the subject lands or any portion thereof, until the following conditions are addressed to the satisfaction of the City:
 - a) The Owner has contributed its share of the cost of infrastructure works and/or undertaken the necessary improvement works and enter into a Development Agreement with the City, if required for these works associated with implementing the municipal servicing improvements for the ultimate buildout of the Dufferin Major Transit Station Area based on the conclusions and recommendations of the ongoing Integrated Urban Water Master Plan EA, to the satisfaction of the City

 - b) The Owner has successfully obtained any necessary approvals, easements, and/or permits from all parties including but not limited to the City of Vaughan, York Region, Hydro One, private landowners at 7850 Dufferin Street, and Infrastructure Ontario (‘IO’) to gain pedestrian and vehicular access to the Dufferin Street and Beverley Glen Boulevard Intersection to the satisfaction of the City of Vaughan and York Region

- c) The Owner shall submit an updated Transportation Study to the satisfaction of Development Engineering and York Region. Any mitigation measures identified through the updated Transportation Mobility Plan will be the responsibility of the Owner. The Owner shall agree in an agreement with the City to implement the recommendations of the transportation report, to the satisfaction of the City
 - d) The Owner has obtained the necessary approvals, and provided proof of same to the City, from IO for the proposed access to Centre Street in the southwest corner of the subject lands over the Ministry of Government and Consumer Services ('MGCS') owned lands (PIN 03274-0256)
 - e) Vaughan Council has identified and allocated water supply and sewage capacity to the subject lands
 - f) The Owner has successfully obtained approval of a Site Development Application, to the satisfaction of the City and Hydro One Networks Inc.
 - g) The Owner dedicate a 0.14 ha public park, meeting all standards and requirements of the City free of all charges and encumbrances and having public road frontage. In addition to the parkland conveyance, the Owner shall provide cash-in-lieu of parkland dedication to meet the requirement of the *Planning Act*, the Vaughan Official Plan (VOP) 2010 (Section 7.3.3 Parkland Dedication) and the current Parkland Dedication By-law
 - h) The Owner must submit a Phase Two Environmental Site Assessment for the subject lands, delineating the petroleum hydrocarbon impacted soil, including an assessment of groundwater quality in a potable groundwater condition, unless formal approval of the use of non-potable groundwater conditions to address the groundwater exceedance has been obtained. If remediation is necessary, then the submission of a Remedial Action Plan ('RAP'), followed by the completion of all remedial works is required
 - i) THAT the Owner submit a Letter of Reliance issued by the Qualified Person and a Ministry of the Environment, Conservation and Parks ('MECP') Record of Site Condition ('RSC'). A copy of the RSC filed on the Environmental Site Registry will be required at the Site Plan stage;
5. THAT should the OLT approve Official Plan Amendment and Zoning By-law Amendment Files OP.21.004 and Z.21.006, either in whole or in part, that the OLT withhold its final Order until such a time that the implementing Official Plan Amendment is prepared to the satisfaction to the City and the Region of York, and the Zoning By-law Amendment are prepared to the satisfaction of the City; and

6. THAT City of Vaughan staff and Legal counsel be directed to attend the OLT Hearing in support of the Recommendation contained in this report regarding Official Plan and Zoning By-law Amendment Files OP.21.004 and Z.21.006.

Background

The subject lands (the 'Subject Lands') are municipally known as 7818 Dufferin Street and are located on the northwest corner of Dufferin Street and Centre Street. The surrounding land uses are shown on Attachment 1.

The Owner on March 4, 2021, submitted the subject applications. Council considered the applications at a Public Meeting on June 14, 2021. Vaughan Council on June 22, 2021, approved the recommendation of the Committee of the Whole to receive the applications.

Ontario Land Tribunal

On June 30, 2022, 7818 Dufferin Inc., (the 'Owner') appealed their Official Plan and Zoning By-law Amendment applications (the 'Applications') to the OLT, pursuant to Sections 22(7) and 34(11) of the *Planning Act*, citing the City's failure to make a decision on the applications within the prescribed timelines of the *Planning Act* (Cases OLT-22-004197 and OLT-22-004198). An OLT Hearing has not been scheduled as of the date of this report.

An OLT Case Management Conference was held on November 7, 2022. A second Case Management Conference is scheduled for March 13, 2023, to finalize the Procedural Order and Issues List for the Hearing. The Parties to the Hearing, following the November 7, 2022, Case Management Conference are:

1. 7818 Dufferin Inc. (the 'Appellant')
2. City of Vaughan
3. Brownridge Ratepayers Association

The Application has been revised

The Owner provided a revised submission which includes two residential apartment buildings with heights of 27 and 22-storeys on 7 to 10-storey podiums with 311.19 m² of ground floor commercial area, and two blocks of townhouses containing 10 residential units, for a total of 863 residential units, 710.32 m² of Privately-Owned Public Open Space, and a 1401.09 m² public park/Urban Square.

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development

The Owner has submitted the following applications for the Subject Lands to permit a mixed-use development consisting of a 27 and 22-storey residential apartment building on 7 to 10-storey podiums with 311.19 m² of ground floor commercial area, and one block of townhouses with 10 units for a total of 863 residential units, 714.11 m² POPS, and a 1401.09 m² public park/Urban Square (the 'Development'), as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.21.004 to amend the Vaughan Official Plan 2010 to redesignate the Subject Lands from "Community Commercial Mixed-Use" to "High Rise Mixed-Use" with building heights of 27 and 22-storeys and an FSI of 5.2.
2. Zoning By-law Amendment File Z.21.006 to amend Zoning By-law 1-88, specifically to rezone the Subject Lands from C7 Service Commercial Zone to "RM2 Multiple Residential Zone", together with the site-specific zoning exceptions identified in Table 1 of this report, and a OS2 Open Space Park Zone.

Public Notice was provided in accordance with the Planning Act and Council's Notification Protocol

The City on May 21, 2021, circulated a Notice of Public Meeting (the 'Notice') for the Official Plan and Zoning By-law Amendment Applications to an expanded polling area as shown on Attachment 1, and to the Beverley Glen, Brownridge and Concord West Ratepayers Associations and to anyone on file with the Office of the City Clerk.

A copy of the Notice was also posted on the City's website at www.vaughan.ca and Notice Signs were installed on the Subject Lands in accordance with the City's Notice Signs Procedures and Protocols.

Vaughan Council on June 22, 2021, ratified the recommendation of the Committee of the Whole to receive the Public Meeting report of June 14, 2021, and to forward a comprehensive technical report to a future Committee of Whole meeting. Deputations were made by the following individuals at the Public Meeting and written comments were received by the Development Planning Department:

Deputations

Mr. Mario G. Racco, Brownridge Ratepayers Association, Checker Ct., Thornhill
William Park, Richbell Street, Thornhill

Written Submissions

Mr. Govind Sharma, email dated May 30, 2021

Janet and Rick Pighin, White Boulevard, Thornhill, email dated May 25, 2021

Ms. Elizabeth Gartner, Brownridge Drive, Thornhill, email dated April 16, 2021

Ms. Laura Brown, email dated June 10, 2021

Mr. Kevin Bechard, Weston Consulting, Millway Avenue, letter dated June 10, 2021

Mr. William Park, Richbell Street, letter dated November 6, 2021

Ms. Julie Grout, email dated May 27, 2021

Umrow Doodnauth, Fairfax Court, Thornhill, letter dated May 30, 2021

The following is a summary of the comments provided through deputations and written correspondence received to date, including the comments received after the Public Meeting. The comments have been organized by theme and responses to the comments are provided in the relevant sections of this report:

Height and Density

- Building height of 34-storeys and proposed density is too high and out of character with the existing neighbourhood.
- The Brownridge neighbourhood is already impacted by developments at Bathurst Street and Centre Street, intensification is changing the residential area.

Traffic and Transportation Network

- Traffic at the Dufferin Street and Centre Street intersection is already congested.
- Increased traffic will increase pollution.

Overlook, Privacy, and Sun/Shadow

- High-rise buildings will create overlook for existing residents.
- Shadows of high-rise buildings will have impacts on landscaping.

Construction

- Dust and noise due to construction activity will impact existing residents.
- Negative impacts of increased traffic and parking on City streets due to construction activity.

Stormwater and Sanitary Servicing

- The proposed development may have impacts regarding stormwater management and sanitary servicing on other approved developments in the area, co-ordination of services may be required.

- The proposed development may have impacts associated with stormwater run-off and flooding.

Community Services

- Community Centres and hospitals in the area are already at capacity, additional population from this development will put further stress on these services.

The Development Planning Department on January 31, 2023, emailed a non-statutory courtesy notice of this Committee of the Whole meeting to those individuals requesting notice of further consideration of the Applications.

Previous Reports/Authority

Previous reports relating to the Subject Lands and the Applications are available at the following link:

[Item 4, Report No. 36 of the Committee of the Whole \(Public Meeting\) June 14, 2021.](#)

Analysis and Options

The Development is consistent with the Provincial Policy Statement, 2020 ('PPS')

In accordance with Section 3 of the *Planning Act*, all land use decisions in Ontario “shall be consistent” with the Provincial Policy Statement, 2020 ('PPS'). The PPS provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include building strong, healthy communities, the wise use of and management of resources and protecting public health and safety. The Planning Act requires the Council's planning decisions be consistent with the PPS. The Development is consistent with the PPS, specifically the following:

- Section 1.0 - Building Strong Healthy Communities
- Section 1.1 - Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns. This Section of the PPS requires that land use planning is cost effective, efficiently uses infrastructure, minimizes land consumption and is transit supportive. Section 1.1.3.3 states, in part: Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment
- Section 1.4 Housing includes policies such as 1.4.3, in part: Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents

- Section 1.6 Infrastructure and Public Service Facilities, specifically Section - 1.6.7.4 states: A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The high-rise mixed-use Development shown on Attachments 2 to 6 is located within a settlement area and along a Regional Corridor (Centre Street). The Development would facilitate residential intensification in proximity to existing transit facilities such as the existing Bus Rapid Transit Route on Centre Street ('Centre Street BRT'), located directly south of the Subject Lands. Consistent with Sections 1.1, 1.1.3.3, 1.4 and 1.6, the Development would provide apartment and townhouse units that:

- efficiently uses infrastructure, minimizes land consumption and is transit supportive
- provides for a range of housing types and unit sizes through intensification
- promotes an opportunity for transit-supportive development
- minimizes the length and number of vehicles trips and supports current and future use of transit and active transportation.

On this basis, the Development is consistent with the PPS.

The Development conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan'), as amended

The Provincial Growth Plan: A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan) as amended, is intended to guide decisions on a wide range of issues, including economic development, land use planning, urban form, and housing. The Growth Plan provide a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

Council's planning decision are required by the Planning Act to conform, or not conflict with the Growth Plan. The Development is consistent with the policy framework of the Growth Plan as the proposed built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide housing at a density supportive of the Growth Plan objectives, specifically:

- Section 1.2.1 - Guiding Principals
- Section 2.2.1.4 (a), (d), and (e), in part, - Applying the policies of this Plan will support the achievement of complete communities that:
 - a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

- d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - ii. public service facilities, co-located and integrated in community hubs; an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
- e. provide for a more compact built form and a vibrant public realm, including public open spaces;
- Section 2.2.4 - Transit corridors and station areas, specifically Sections 2.2.4.2 and 2.2.4.10
- Section 2.2.4.10 - Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities
- Section 2.2.6 - Housing, which includes, in part, to identify a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents

Under the Growth Plan, PMTSAs are generally defined as areas within an approximate 500 to 800 metre radius surrounding an existing or planned high-order transit stop or station. PMTSAs are areas intended to accommodate a substantial proportion of a municipality's future residential and employment growth in order to encourage transit usage. The current Growth Plan requires York Region and the City to delineate the boundaries of PMTSAs on priority transit corridors or subway lines. The Ministry of Municipal Affairs and Housing (MMAH) has approved a PMTSA at the intersection of Dufferin Street and Centre Street (PMTSA 58 Dufferin BRT Station), as shown on Attachment 1 ("Dufferin Station").

In consideration of the Growth Plan policies, the Owner seeks to permit high-rise mixed-use buildings in a built-up area where there is existing vacant land to accommodate population growth, as well as providing a variety of housing units (apartment and townhouse units) (Section 2.2.6). In addition, allowing for a more intensified land use supports and promotes transit-supportive density which is considered to be appropriate. The Owner is also proposing to provide a public park and a POPS (Section 2.2.1.4).

The proposed Development is adjacent to an existing transit facility (Section 2.2.4), the Centre Street BRT, and within a York Region approved MTSA. The Development would be required to provide travel demand management and active transportation measures to support alternative modes of transportation. In consideration of the above, the Development conforms to the Growth Plan.

The Development conforms to York Regional Official Plan 2022 ('YROP')

York Region Official Plan 2022 (YROP 2022) guides economic, environmental and community building decisions across York Region. The Subject Lands are designated "Urban Area" on Map 1 – "Regional Structure" and are located at the northwest corner of Centre Street and Dufferin Street, Centre Street being a Regional Corridor also shown on Map 1B - "Urban System Overlays". The Subject Lands are within a Community Area as shown on Map 1A - "Land Use Designations".

The Development is within a Protected Major Transit Station Area as shown on Map 1B- "Urban Systems Overlays", the PMTSA – Dufferin BRT Station ('PMTSA').

The Development is consistent with the policy framework of the YROP 2010 as the proposed density and built form would utilize the Subject Lands more efficiently, make more efficient use of existing infrastructure, and provide a range and mix of housing, specifically:

- Section 4.1.1 – The Urban System Policies, focusing on structural elements such as the Urban Area, Towns and Villages and Centers and Corridors and distinguishing the Urban System and community uses
- Section 4.2.17 That major transit station areas and transit corridors shall be the focus of higher densities and intensification
- Section 4.4.8 – That intensification shall include a variety of medium and high density dwelling unit type and sizes to provide house choice.
- Section 4.4.10 e. Plan for a range and mix of housing that is commensurate with the planned density and local context considering affordable house needs
- Section 4.4.35 – That Regional Corridors along transit routes function as urban mainstreets that have compact, mixed-use, well-designed, pedestrian-friendly and transit supportive built form and allow for active transportation
- Section 4.4.36 (in part) - That the most intensive and widest range of uses with Regional Corridors be directed to major transit station areas
- Section 4.4.42 c. – Policies to achieve the objectives of transit supportive development including the planning for transit supportive densities, uses, multimodal access and active transportation connections in support of the Region's transit infrastructure investments
- Section 6.3.36 – To limit direct vehicle access from developments adjacent to Regional roads by:
 - a. Providing connections to local streets; and,
 - b. Creating shared driveways by creating interconnections between adjacent properties
- Section 6.4.23 – That water and wastewater systems be sized to consider the potential for expansion of the service area, intensification and increased servicing

allocation where permitted by the York Region Official Plan, Your Region Master Plans, local municipal official plans and Provincial plans

The Subject Lands are designated Urban Area in the YROP. The Development is located at the northwest corner of Dufferin Street and Centre Street and Centre Street is a Regional Corridor. Accordingly, it conforms to policy 4.1.1 where development is focused along a Regional Corridor. The Development is located within a built-up area of the Urban Area, adjacent to the Centre Street BRT, and would provide a mix of housing types and sizes conforming to policies 4.2.17, 4.4.4 and 4.4.10. The Development is an urban form and design that is compact, oriented to the street, pedestrian and cyclist-friendly and transit supportive and will contribute to the Regional Corridor function as an urban mainstreet. This Development conforms to YROP Policies 4.4.35, 4.4.36 and 4.4.42.

An Amendment to Vaughan Official Plan 2010 is required to permit the Development

The Subject Lands are located in a “Community Area” as shown on VOP 2010 Schedule 1 Urban Structure and are designated “Community Commercial Mixed-Use” on Schedule 13 – Land Use.

The Development is not permitted by the “Community Commercial Mixed-Use” designation of VOP 2010. Accordingly, an application to redesignate the Subject Lands to “High-Rise Mixed-Use” has been submitted to permit the following:

- Maximum building heights of 22-storeys and 27-storeys for Buildings A and B on 7-storey to 10-storey podiums
- 863 dwelling units including 10 townhouse units
- 311.19 m² of ground floor commercial area
- 714.11 m² of Privately-Owned Public Open Space (POPS)
- A 1,401.09 m² Public Park (Urban Square)
- An FSI of 5.2 times the area of the lot

The Development Planning Department can support the redesignation of the Subject Lands in consideration of the following Goals and Polices of VOP 2010:

- Section 1.5 - Goal 1: Strong and Diverse Communities, in part, direct well designed, context-sensitive growth to strictly defined areas, and provide for a wide range of housing choices and a full range of community services and amenities within each community
- Section 1.5 Goal 5: Moving Around without a car, in part, the Viva bus rapid transit and regional bus network and increased GO Transit service will provide a strong

foundation for Vaughan's public transit infrastructure. With this foundation, the Official Plan will focus on implementing planning and design policies that make walking, cycling and transit use realistic options for moving around

- Section 1.5 Goal 8: Directing Growth to Appropriate Locations, in part, this means a shift in emphasis from the development of new communities in greenfield areas to the promotion of intensification in areas of the City with the infrastructure capacity and existing or planned transit service to accommodate growth
- Section 2.1.3.2, To address the City's main land-use planning challenges and to manage future growth by: in part, identifying Intensification Areas, consistent with the intensification objectives of this Plan and the Regional Official Plan, as the primary locations for accommodating intensification
- Section 2.2.5, Intensification Areas, in part, Regional Intensification Corridors will link Regional Centres both in Vaughan and beyond and are linear places of significant activity. They may accommodate mixed-use intensification or employment intensification
- Section 7.5.1, Ensuring a Range of Housing Options, in part, ensuring there is a diversity of housing options to accommodate all those who choose to make Vaughan their home.

Section 7.5.1 of VOP 2010, Ensuring a Range of Housing Options, states that increasing housing choices in terms of housing type, tenure and affordability is required. The Development includes condominium stacked back-to-back townhouses and apartment units to provide unit type options with a range of sizes.

Directing growth to a Provincially approved PMTSA is appropriate, as MTSA's are planned for intensification. VOP 2010 Schedule 1 - Urban Structure identifies Centre Street as a Regional Intensification Corridor. VOP 2010 Section 2.2.1.1 states that Regional Intensification Corridors will be a major focus for intensification on lands which are adjacent to major transit routes. The addition of high-rise mixed-use land uses at the northwest corner of the Dufferin Street and Centre Street intersection is appropriate because it supports the policies regarding intensification. The Development has limited impact in consideration of the immediate surrounding land use context, as the Subject Lands are bounded by two Regional Roads, a hydro corridor, approved mid-rise mixed-use development and a vacant parcel of land on the southwest corner of Dufferin Street and Centre Street.

VOP 2010 Section 4.1.1 includes policies to support mobility options. The Development is located adjacent to the Centre Street BRT, which is part of York Region's significant transit infrastructure. The Development will aide in mobility without a car, as robust Travel Demand Management ('TDM') and Active Transportation measures will be required such

as bicycle parking standards, the removal of parking spaces associated with individual residential units, and reduced parking rates.

Council enacted Zoning By-law 001-2021 on October 20, 2021 as the new Vaughan Comprehensive Zoning By-law

Applications to amend both Zoning By-law 1-88 and Zoning By-law 001-2021 are required because Zoning By-law 001-2021 is not in force for the Subject Lands due to it being under appeal.

Amendments to Zoning By-law 1-88 are required to permit the Development

The Subject Lands are zoned “C7 Service Commercial Zone” subject to site-specific exception 9(1411) by Zoning By-law 1-88. This zone does not permit the proposed mixed-use development or high-rise built form. The Owner proposes to rezone the Subject Lands from “C7 Service Commercial Zone”, as shown on Attachment 1 to “RM2(H) Multiple Residential Zone with the Holding Symbol ‘(H)’ and “OS2 Open Space Park Zone”, in the manner shown on Attachment 2, together with the following site-specific exceptions to permit the Development:

Table 1:

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirement	Proposed Exceptions to the RM2 Multiple Residential Zone Requirement
a.	Permitted Uses	<ul style="list-style-type: none"> • Apartment Dwelling • Multiple Family Dwelling • Block Townhouse Dwelling • Day Nursery 	Permit the following additional uses: <ul style="list-style-type: none"> • Eating Establishment • Eating Establishment, Convenience • Eating Establishment, Take-out • Financial Institution • Personal Service Shop • Pet Grooming Establishment • Pharmacy • Print shop • Store, Convenience Retail • Store, Retail • Studio • Tavern • Veterinary Clinic

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirement	Proposed Exceptions to the RM2 Multiple Residential Zone Requirement
b.	Definition of a "Lot"	LOT- Means a parcel of land fronting on a street separate from any abutting land to the extent that a consent contemplated by Section 50 of the <i>Planning Act</i> , R.S.O 1990, c. PI 13. would not be required for its conveyance. For the purpose of this paragraph, land defined in an application for a building permit shall be deemed to be a parcel of land and a reserve shall not form part of the lot.	LOT – the subject Lands shall be deemed one lot, with a private condominium road, regardless of the number of buildings constructed on the lot, the creation of any new lot by plan or subdivision, plan of condominium, part lot control, consent and any easements or restrictions for each parcel.
c.	Minimum Lot Area	230 m ² /unit	A total of 14,945.0 m ²
d.	Minimum Front Yard (Centre Street)	4.5 m	2.0 m ground floor 1.0 m free of any projection on higher levels
e.	Minimum Exterior Side Yard (Dufferin Street)	4.5 m	3.0 m ground floor 1.0 m free of any projection higher levels
f.	Minimum Setback from the Front and Exterior Lot Line to the Nearest Part of a Building Below Finished Grade	1.8 m	0 m
g.	Maximum Lot Coverage	50%	32%
h.	Maximum Building Height	11 m	Building A = 71.81 m (22-storeys) Building B = 86.82 m (27-storeys)

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirement	Proposed Exceptions to the RM2 Multiple Residential Zone Requirement
			Townhouses = 10.2 m (3- storeys)
i.	Minimum Amenity Area	<p>23 Bachelor/Studio Units @ 15 m²/unit = 345 m²</p> <p>428 One-Bedroom Units @ 20 m²/unit = 8,560 m²</p> <p>402 Two-Bedroom Units @ 55 m²/unit = 22,110 m²</p> <p>10 Three-Bedroom Units @ 90 m²/unit = 900 m²</p> <p>Total required Amenity Area = 31,915 m²</p>	Provide a total Amenity Area of 14,240 m ²
j.	Minimum Number of Parking Spaces	<p><u>Residential Apartment Units</u> 1.5 spaces/unit @ 853 units = 1,280 spaces</p> <p><u>Residential Block Townhouse Units</u> 2 spaces/unit @ 10 units = 20 spaces</p> <p><u>Visitor</u> 0.25 spaces/unit @ 863 units = 216 spaces</p> <p><u>Commercial</u> 6 spaces/100 m² @ 311.19 m² = 19 spaces</p> <p>Total Parking Required = 1535 spaces</p>	<p><u>Residential – Apartment Units and Residential Townhouse Units</u> 0.74 spaces/unit @ 863 units = 639 spaces*</p> <p><u>Visitor/Commercial</u> 0.12 spaces/unit @ 863 units = 104 spaces*</p> <p>Total Parking Provided = 743 spaces*</p>

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirement	Proposed Exceptions to the RM2 Multiple Residential Zone Requirement
			<p><i>*The parking ratios shall be revised to the following:</i></p> <p style="text-align: center;"><u>Residential</u></p> <p><i>0.8 spaces per residential unit @ 863 units = 691 spaces</i></p> <p style="text-align: center;"><u>Visitor</u></p> <p><i>0.2 spaces per residential unit @ 863 units = 173 spaces</i></p> <p style="text-align: center;"><u>Commercial</u></p> <p><i>2.0 spaces per 100 m² of retail GFA @ 311.19 m² = 7 spaces</i></p> <p><i>The total number of required spaces shall be revised to 871 spaces</i></p>
k.	Parking Space Dimensions	2.7 m x 6.0 m	2.6 m x 5.7 m <i>(Applicant requested 2.6m x 5.6m which cannot be supported by staff)</i>
l.	Minimum Landscape Strip Width Along a Lot Line Which Abuts a Street Line	6 m	3.0 m <i>(can be or hard or soft landscape)</i>
m.	Minimum Landscape Strip width around a parking area	3.0 m	3.0 m <i>(can be either hard or soft landscape)</i>
n.	Minimum Height of Screening for an Outdoor Parking Area	1.2 m	0 m

	Zoning By-law 1-88 Standard	RM2 Multiple Residential Zone Requirement	Proposed Exceptions to the RM2 Multiple Residential Zone Requirement
o.	Minimum Driveway Width	7.5 m	6 m

Minor modifications may be made to the zoning exceptions identified in Table 1 prior to the enactment of an implementing Zoning By-law, as required, should the Applications be approved.

The Owner Shall Amend Parking Ratio Calculations and Parking space size

The parking exceptions proposed by the Owner for residential, visitor and commercial are not acceptable. The parking supply rate should follow the minimum parking requirements in By-law 001-2021 as follows:

- 0.8 spaces per apartment or condominium townhouse dwelling unit for the residents
- 0.2 spaces per apartment or condominium townhouse dwelling unit for residential visitors
- 2.0 spaces per 100 m² of retail GFA

Shared parking between the retail GFA and residential visitors is also not acceptable.

The minimum parking space size that can be supported by staff is 2.6 x 5.7 m.

The Owner Shall Amend the minimum front yard, exterior side yard, and minimum landscape strip width. The minimum front yard, exterior side yard, and the minimum landscape strip width that can be supported are as follows:

- Minimum front yard 2.0 m at ground level and 1.0 m free of any projections at higher levels
- Minimum exterior yard 3.0 m at ground level and 1.0 m free of any projections at higher levels
- Minimum Landscape Strip Width Along a Lot Line Which Abuts a Street Line 3.0 m (can be or hard or soft landscape)
- Minimum Landscape Strip width around a parking area 3.0 m (can be hard or soft landscape)

A recommendation to amend the parking ratio, parking space size, minimum front yard, minimum exterior side yard, and minimum landscape strip width is included in the Recommendations Section of this report.

The Development Planning Department can support the remaining zoning exceptions identified in Table 1, on the basis that the proposed site-specific zoning standards identified would facilitate a development that is consistent with the policies of the PPS, and conforms to the Growth Plan and YROP. The site-specific development standards will enable a compact built form and pedestrian realm relationship that is supported in an PMTSA area.

A Holding Symbol “(H)” is recommended for the Subject Lands

A Holding Symbol “(H)” is recommended to be placed on the proposed zoning for the Subject Lands to address the outstanding issues discussed throughout this report.

The Holding Symbol “(H)” shall not be removed from the Subject Lands, or any portion thereof, until the conditions included in the Recommendation section of this report are addressed to the satisfaction of the City.

A condition to this effect is included in the Recommendations of this report.

Should the Applications be approved, Site Development and Draft Plan of Condominium applications are required to permit the Development

The Owner will be required to submit a Site Development application for the Development should the Applications be approved for the Subject Lands.

The Owner will be required to submit a Draft Plan of Condominium application following approval of the future Site Development application and will need to receive approval from Council to establish the standard condominium tenure for the Development, where applicable.

The Design Review Panel (“DRP”) has reviewed the Original Proposal, however, an additional DRP review is required at the Site Development application stage

The Vaughan DRP, on October 29, 2020, considered the proposal and provided the following comments:

The panel supported the design at the macro level with respect to the built form and height progression from north to south, however, there were concerns with respect to the contextual fit and functionality of the townhouse blocks along Dufferin Street.

A stronger design move addressing the intersection at Dufferin and Centre Street was recommended.

There were concerns with respect to the proposed podium heights at 12-storey and its adverse impact on pedestrian environment both within the private development and along the public realm.

The Applicant has responded to the DRP comments by:

- Providing a public plaza/park at the intersection of Dufferin and Centre Street conjoined with a POPS and a possible location for a public art program to emphasize this prominent intersection.
- Reducing the heights of the podium massing to 7-storeys along the public realm, to improve the microclimate of the POPS and private courtyard; and enhance the pedestrian experience within the public realm.
- The vehicular access for the townhouse block has been revised to improve servicing and functionality of the residential units, by extending the underground parking to include the townhouse units as well as the rest of the development.

The Applicant is working closely with staff to further improve the proposal. The Development Planning Department is satisfied that the Applicant has addressed the comments of the DRP, subject to the recommendations in this report.

Development Engineering has reviewed the Application and provides the following comments

Municipal Servicing

The City has initiated a Servicing Master Plan Update, Integrated Urban Water Master Plan Class EA (IUW-MP). The study will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan review. A Functional Servicing Strategy for the Concord GO Secondary Plan and Dufferin Major Transit Station Area (TSA), will be established through this ongoing master plan update. The completion of this study is anticipated in the second quarter of 2023, when specific infrastructure upgrade needs will become known. The site servicing shall conform to the conclusions and recommendations of the Integrated Urban Water Master Plan EA.

Improvements to the existing downstream sanitary infrastructure will be required to accommodate the additional sanitary flows generated from the proposed and adjacent active developments (i.e.- 7850 Dufferin Street – OP.17.013, Z.17.040, DA.20.023). The Owner shall contribute its share of the cost of infrastructure works and/or undertake necessary improvement works associated with implementing the municipal servicing

improvements for the TSA area based on the recommendations of the ongoing Integrated Urban Water Master Plan EA to the satisfaction of the City.

The Owner has submitted a Functional Servicing Reports (FSR), in support of the proposed Official Plan Amendment and Zoning By-law Amendment Applications. The DE department has reviewed the report and requires the site servicing to conform to the conclusions and recommendations of the Integrated Urban Water Master Plan EA and comments noted in the Comments Response Matrix to be addressed within a subsequent submission.

Water Supply

The Subject Lands are located within the City's Pressure District 6 (PD). Water supply for the Subject Lands are proposed from the existing municipal watermain on Dufferin Street. Water servicing shall conform to the conclusions and recommendations of the City's ongoing IUW-MP EA/FSSR. DE requires that the Owner address the comments provided in the Comment Response Matrix be addressed prior to final approval. A recommendation to this effect is included in the Recommendation Section of this report.

Sanitary Servicing

The Subject Lands are proposed to be serviced via a new sanitary service connection to the municipal sanitary sewer on Dufferin Street. The downstream sanitary analysis included in the Functional Servicing Report identifies capacity constraints within the existing system generated from the flow of the proposed development and the adjacent active development at 7850 Dufferin Street (File DA.20.023). Based on the analysis, numerous segments of the downstream sewer system will surcharge and require upgrades to accommodate the ultimate buildout. Sanitary servicing shall conform to the conclusions and recommendations of the City's ongoing Integrated Urban Water Master Plan Class EA / FSSR.

Prior to final approval, DE requires the above-mentioned high-level comments to be addressed alongside any comments noted in the Comments Response Matrix. A recommendation to this effect is included in the Recommendation Section of this report.

Stormwater Management

The Subject Lands are proposed to be serviced via connections to the existing box culvert on Centre Street. On-site detention will be provided by a storage tank; emergency spillway for events larger than the 100-year storm event is proposed at the southwest corner of the Subject Lands and is directed to Centre Street. Quality control is proposed via a Jellyfish filtration unit. Storm servicing shall conform to the conclusions and recommendations of the City's ongoing IUW-MP EA/FSSR.

Lot Grading

The existing topography generally slopes from north to south. The Subject Lands drain overland towards Centre Street. The Owner shall provide a detailed grading plan at the site plan stage, confirming that the proposed grading of the site meets the current City's criteria.

Environmental Site Assessment (ESA)

Site Screening Questionnaire and Environmental Certification, Phase One Environmental Site Assessment and Summary of Phase Two Environmental Site Assessment reports were submitted and reviewed by the Development Engineering Department. Prior to final approval, DE requires the ESA comments noted in the Comments Response Matrix to be addressed. A recommendation to this effect is included in the Recommendation Section of this report.

Noise Attenuation

The Owner submitted a noise report entitled Environmental Noise Feasibility Study, prepared by Valcoustics Canada Ltd. The report recommends air conditioning for all units in Buildings A, B and the townhouse blocks, and warning clauses included in the agreements of Offers of Purchase and Sale and lease/rental agreements to make future occupants aware of the potential noise situation. The report concludes that with the recommended noise mitigation measures, the resultant sound levels both indoors and outdoors will be within the acceptable limits established by the MECP.

A detailed noise report will be required at the site plan stage. The report shall comply with the final architectural drawings and recommend appropriate mitigation measures and warning clauses.

Transportation

The development will be accessed by right-in/right-out accesses off Dufferin Street and Centre Street, with a private driveway providing internal circulation. There is an opportunity to access to the Beverley Glen Boulevard/Dufferin Street signalized intersection through the northern neighboring property. However, such an additional connection has not been relied on in the traffic analyses. In the event that access to Centre Street is refused by York Region or MTO due to the proximity to the potential Highway 407 interchange, the provision of such interconnection to the neighboring property would be necessary. MTO will allow a right-in right-out access onto Centre Street, however, the Owner will be required to obtain a MTO encroachment and entrance permit.

A total of 739 parking spaces (731 spaces in submission 1) are proposed within two levels of underground parking, which also includes 9 surface parking spaces. This equates to the vehicle parking supply rates of 0.73 space per unit (636 spaces) for the residents, 0.10 space per unit (92 spaces) for the residential visitors, and 3 spaces per 100 m² (11 spaces) for retail, which present a departure from the minimum rates of Zoning By-Law 1-88 and the City's Comprehensive Zoning By-law 001-2021.

A total of 2 loading spaces are provided for the subject development proposal.

The Development suggests an increase in density based on several transit initiatives within the study area, which designate Dufferin Street as a rapid transit corridor and Highway 7 and Centre Street as a regional rapid transit corridors with a station located at the Dufferin/Centre intersection. However, DE staff have requested additional information and expressed concerns regarding the number of issues primarily on the access arrangements, traffic capacity analysis, and parking rates. These concerns must be addressed prior the final approval of the proposal.

A condition to this effect is included in the Recommendation section of this report and in the Zoning By-law Conditions for lifting the Holding Symbol "(H)".

Infrastructure Planning and Corporate Asset Management ('IPCAM') have no objection subject to conditions

The City has initiated a Servicing Master Plan update (Integrated Urban Water Master Plan EA) (IUW-MP). The Study will assess the existing and planned municipal servicing systems (water, wastewater, stormwater) to support the City's Official Plan Review. A Functional Servicing Strategy for the Concord GO Secondary Plan and Dufferin MTSA, will be established through the on-going master plan update. The site servicing shall conform to the conclusions and recommendations of the IUWMPEA.

Improvements to the existing downstream sanitary infrastructure will be required to accommodate the additional sanitary flow generated from the proposed and adjacent active developments. The Owner shall contribute its share of the cost of infrastructure works and/or undertake necessary improvement works associated with implementing the municipal servicing improvements for the ultimate build-out of the Dufferin MTSA area based on the recommendations of the on-going IUW-MP to the satisfaction of the City.

Servicing Allocation will be reviewed should the Development receive approval at the OLT

Servicing Allocation will be reviewed through the final review of the Site Development Application and will require formal approval by Council.

Parks Infrastructure Planning and Development ('PIPD') have no objection to the applications subject to conditions

The Owner has submitted plan which provide for a 1,401.09 m² public park in the form of an urban square, as shown on Attachment 3, to support the development and provide recreational servicing for the community. The Owner will be required to dedicate the park block to the City should the Application be approved. PIPD recommend that the implementing Official Plan and Zoning By-law include the appropriate policy(ies) and zoning category to implement the required public park should the Application be approved by the OLT.

The PIPD Department will provide specific comments with regard to the construction of the urban square at the site plan stage, in addition to warning clauses associated with the park block and the Development. The Owner will also be required to enter into a strata park agreement with the City.

Development Charges for the Development are applicable

The Owner shall pay to the City applicable Development Charges in accordance with the Development Charges By-laws of the City of Vaughan, Region of York, York Region District School Board and York Catholic District School Board.

A clause for the payment of Development Charges would be included as a standard condition in the approval of the site plan, should the Applications be approved.

The Real Estate Department have no objection subject to cash-in-lieu of the dedication of parkland and the Community Benefits Charge being satisfied

The City of Vaughan Real Estate Department has reviewed the Application and advise that the prior to the issuance of a Building Permit, the Owner shall pay to the City of Vaughan by way of certified cheque a community benefits charge equivalent to 4% of the value of the Subject Lands in accordance with Section 37 of the *Planning Act* and the City's Community Benefits Charge By-law. The Owner shall submit an appraisal of the Subject Lands, pursuant to the City's Community Benefits Charge By-law, prepared by an accredited appraiser for approval by the Vaughan Real Estate Department, and the approved appraisal shall for the basis of the calculation for the community benefits charge payment.

For high-density residential development, the Owner shall convey land at the rate of 1 ha per 600 units and/or pay to Vaughan by way of certified cheque, cash-in-lieu of the dedication of parkland at the rate of 1 ha per 1000 units, or at a fixed unit rate, at

Vaughan's discretion, prior to the issuance of a Building permit, in accordance with the Planning Act and the City of Vaughan Parkland Dedication By-law.

Approval from Infrastructure Ontario is required

Infrastructure Ontario is a crown agency responsible for the strategic management of the provincial realty portfolio on behalf of the Ministry of Government and Consumer Services ('MGCS'). Part of IO's mandate is to protect and optimize the value of the portfolio, which ensuring real estate decisions reflect public policy objectives.

The Owner is proposing access to the southwest corner of the site over MGSC owned lands (PIN 03274-0256). MTO will allow a right-in right-out access onto Centre Street, however, the Owner will be required to obtain a MTO encroachment and entrance permit.

A condition to this effect is included in the Recommendation section of this report.

Approval from Hydro One is required at the Site Plan Stage

Hydro One Networks Inc. ('HONI') has provided a preliminary review of the Application. The Subject Lands about a HONI high voltage transmission corridor (the 'transmission corridor').

Should the Application receive approval from the OLT, the Owner is required to obtain written permission from HONI at the site plan stage which include the following:

- a) The Owner must contact HONI, Real Estate Services to discuss all aspects of the site plan design, ensure all of HONI's technical requirements are met to HONI's satisfaction and acquire the applicable agreements.
- b) The Owner must make arrangements satisfactory to HONI for lot grading and drainage. Drawings must show existing and proposed final grades, the transmission corridor, location of towers within the corridor and any proposed uses within the transmission corridor. Drainage must be controlled and directed away from the transmission corridor.
- c) The Development must not block vehicular access to any HONI facility located on the transmission corridor. During construction there must not be any storage of materials or mounding of earth, snow or other debris on the transmission corridor.
- d) The Owner must be responsible for the cost of any relocations or revisions to HONI facilities which are necessary to accommodate the Development. The Owner will be responsible for restoration of any damage to the transmission corridor or HONI facilities thereon resulting from construction of the Development.
- e) The Owner must be advised that the transmission lines abutting the Subject Lands operate at either 500,000, 230,000 or 115,00 volts. Section 188 of Regulation

213/91 pursuant to the *Occupational Health and Safety Act*, require that no object be brought closer than 6 metres to an energized 500 kV conductor. The safe vertical distance for 230 kV conductors is 4.5 metres and for 115 kV conductors it is 3 metres. It is the Owners responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the safe vertical distance specified in the *Act*. All parties should be aware that the conductors can raise and lower without warning, depending on the electrical load places on the line.

A condition to this effect is included in the Recommendation section of this report.

The Toronto and Region Conservation Authority (the 'TRCA')

The TRCA have reviewed the Application and have no objection to the Development. TRCA's comments related to stormwater management strategy at a functional level have been addressed.

The School Boards have no objection to the Development

York Region District School Board and York Catholic District School Board have no objection to the Development and do not require school sites within the Subject Lands.

No comments were received from the Conseil Scolaire de District Catholique Sud.

Financial Impact

There are no new requirements for funding associated with this report.

Broader Regional Impacts/Considerations

York Region Community Planning and Development Services considered the Application to be a local matter

York Region provided a Regional exemption for the Application, and recommended that the local municipality is best able to determine the heights, and densities and the mix of land uses for the Development. York Region acknowledge that the Applications are before the OLT, therefore, the OLT is the approval authority.

In their letter dated, August 18, 2021, York Region provided an exemption to Official Plan Amendment File OP.21.004 from Regional approval. However, York Region requires that the Owner address Transportation comments outlined in their letter dated December 13, 2022, prior to the approval of the Official Plan Amendment. Specifically, the Region requires that an updated Transportation Study report prepared by Nexttrans which addresses the Region's comments be submitted, including information that the proposed right-in/right-out access via Dufferin Street and Centre Street meets the Region Access

Guidelines requirements. In addition, the Region requests a copy of the approved MTO encroachment and entrance permit for the Centre Street access for reference. York Region Rapid Transit have also provided preliminary conditions for the required Stie Development application, including a requirement to adhere to the streetscape design proposed for Centre Street and Dufferin Street, should the Applications be approved.

A recommendation to this effect has been included in the Recommendation section of this report.

Conclusion

The Development Planning Department has reviewed the Applications, in consideration of the applicable Provincial Policies, YROP and VOP 2010 policies, Zoning By-law 1-88, comments received from City Departments, external public agencies, area residents, and the surrounding area context.

The Development Planning Department is satisfied that the Applications are consistent with the *Planning Act*, PPS and conform to the Growth Plan and the YROP 2010. The Development is compatible with the surrounding area context. In consideration of the above, the Development Planning Department can support the approval of the Applications subject to the Recommendations in this report, including but not limited to the provisions of a public park. The Development provides a range of housing types and unit sizes is located on a Regional Corridor, the Centre Street BRT and I with a Provincially approved PMTSA.

Future applications for Site Plan Approval and Draft Plan of Condominium (Standard) will be required to fully implement the Development and will be submitted through separate applications.

For more information, please contact: Carol Birch, Planner, Development Planning Department, ext. 8485.

Attachments

1. Context and Location Map.
2. Conceptual Site Plan and Proposed Zoning.
3. Conceptual Landscape Plan.
4. Conceptual Building Elevations – Facing Centre Street.
5. Conceptual Building Elevations – Facing Dufferin Street.
6. Conceptual Townhouse Elevations – Facing Dufferin Street.

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